



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
MELISSA A. BACHAN, R.N.	:	FINAL ORDER
License # 26NR 15904100	:	OF DISCIPLINE
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. Respondent indicated on her 2014 renewal application that she would not complete required continuing education for the 2012-2014 licensing cycle by May 31, 2014.
3. Respondent was asked by the Board's Executive Director in letters dated July 9, 2014 and November 6, 2014 to submit documentation of completion of all continuing education courses

required for the 2012-2014 licensing cycle and to provide payment of a civil penalty in the amount of \$250, in the form of a certified check or money order, for the failure to comply with N.J.A.C. 13:37-5.3.¹

4. Respondent submitted payment of \$250 in satisfaction of the civil penalty, but she did not provide documentation of thirty (30) contact hours of appropriately accredited continuing education as defined pursuant to N.J.A.C. 13:37-5.3. She submitted documentation of courses completed, but only four hours qualified as continuing education, completed on August 2, 2014, which may be applied to the June 1, 2012-May 31, 2014 licensing cycle, pursuant to N.J.A.C. 13:37-5.3. In addition, respondent sent documentation of one contact hour of a course in organ and tissue donation, completed on August 6, 2014.

CONCLUSIONS OF LAW

1. Respondent's failure to comply with N.J.A.C. 13:37-5.3 subjects respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on March 13, 2015, provisionally suspending respondent's nursing license, and memorializing the \$250

¹There is an error in the November 6, 2014 letter; the letter indicated that respondent sent in documentation of 15 contact hours of qualifying continuing education; however, a review of the certificates provided shows that most of the courses do not qualify pursuant to N.J.A.C. 13:37-5.3.

civil penalty which respondent had already provided. A copy of the Order was served upon the respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent has replied to the Provisional Order, and has sent in documentation of a total of 26 additional contact hours of nursing continuing education completed in April of 2015. Therefore, suspension is no longer warranted, as respondent has provided documentation of completion of her continuing education for the 2012-2014 licensing cycle.

ACCORDINGLY, IT IS on this 13th day of April, 2015,

ORDERED that:

1. Payment of the civil penalty for the violation of N.J.A.C. 13:37-5.3 is hereby memorialized by this order. As respondent has admitted to the violation and satisfied the penalty, no further payment is required.

2. No continuing education dated earlier than April 9, 2015, the latest date on the certificates of completion submitted to satisfy respondent's 2012-2014 continuing education obligation, may be applied to satisfy respondent's continuing education for the 2014-2016 licensing cycle.

NEW JERSEY STATE BOARD OF NURSING

By: *Patricia Murphy PhD APN*
Patricia Murphy, PhD, APN
Board President